

REMARKS

Applicant thanks the Examiner for the very thorough consideration given the present application.

Claims 1, 2, 4-7, 9, 10 and 12 are now present in this application. Claims 1 and 9 are independent.

Claims 3, 8, 11 and 13-16 have been canceled, and claims 1, 2, 4, 5, 6, 7, 9, 10 and 12 have been amended. Reconsideration of this application, as amended, is respectfully requested.

Priority Under 35 U.S.C. § 119

Applicant thanks the Examiner for acknowledging Applicant's claim for foreign priority under 35 U.S.C. § 119, and receipt of the certified priority document.

Drawings

Applicant has not received a Notice of Draftsperson's Patent Drawing Review PTO-948 or other indication of whether or not the formal drawings have been approved by the Draftsperson. Clarification in the next Office Action is respectfully requested.

Rejection Under 35 U.S.C. § 102

Claims 9-16 stand rejected under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent No. 6,248,946 to Dwek. This rejection is respectfully traversed.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

Claims 11 and 13-16 have been canceled, thereby rendering their rejection under 35 U.S.C. § 102(a) moot.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicant respectfully submits that independent claim 9 has been amended to recite a combination of steps in a method of displaying a directory structure of a recording medium, including examining a directory structure based on an extension of a file recorded on the recording medium including examining a directory structure based on an extension of a file recorded on the recording medium. Applicant respectfully submits that this combination of steps as set forth in independent claim 9 is not disclosed or made obvious by the prior art of record, including Dwek.

In particular, Dwek discloses a search pane 320a, which includes a search terms entry box 341 and a search parameter selection box 342 (see Dwek Col.6, lines 9-11). The search pane 320 allows a user to browse or search an online music database 114 to locate a particular music selection. The music selection is

referenced by song title, artist, album or CD title, or genre (Col.6, lines 15-20). However, no search is performed by file extension, including MP3. The Examiner asserts that Dwek discloses MP3 music as a search attribute in Col.7, lines 55-59. However, this portion of Dwek only discloses that the music player has the capability of reading and playing MP3 music. Therefore, Dwek fails to disclose examining a directory structure based on an extension of a file recorded on the recording medium, as recited in independent claim 9, as amended.

Claims 10 and 12 depend on independent claim 9, and therefore are patentable at least for the reasons stated with respect to independent claim 9. Reconsideration and withdrawal of this art grounds of rejection are respectfully requested.

Rejections under 35 U.S.C. § 103

Claims 1-6 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dwek in view of U.S Patent No. 6,396,849 to Sarkissian et al. (Sarkissian).

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

Search pane 320a of Dwek provides both a search option and a browse option (see Dwek, Col.6, lines 15-20). The browse option does not include a provision for searching and marking based on parameters input into search

terms entry box 341. The browse option as discussed in Col. 7, lines 44-50 (cited by the Examiner) provides a user with the option of scrolling through a variety of selections and manually marking personal selections for later retrieval. Both the selection (marking) process and the retrieval process is manual, and have no connection with the automated search process (search option) described in Dwek. Therefore Dwek fails to disclose or suggest generating a mark for indicating the result of the examining step, as recited in independent claim 1, as amended. Sarkissian cannot fill this vacancy.

With further regard to Sarkissian, "section 198, Adeline" refers to a subscriber as opposed to referring to a file. Further, Sarkissian does not teach a directory-marking concept, or mark generating concept, especially wherein said marking is automatically performed in conjunction with a search. Therefore, Sarkissian fails to disclose or suggest displaying the generated mark on the directory, as recited in independent claim 1, as amended.

Claims 2 and 4-6 depend, either directly or indirectly on independent claim 1. Since neither Dwek, nor Sarkissian discloses or suggests the above-recited features of independent claim 1, Dwek, in view of Sarkissian cannot render claims 1-6 and 8 obvious to one of ordinary skill in the art. Reconsideration and withdrawal of this art grounds of rejection are respectfully requested.

Claim 7 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Dwek in view of Sarkissian as applied to claims 1-6 and 8 above, and further in view of U.S. Patent No. 6,067,282 to Moriyama. This rejection is respectfully traversed.

Dwek and Sarkissian (argued above with respect to independent claim 1) fail to disclose or suggest at least generating a mark for indicating the result of the examining step. Moriyama cannot fill this vacancy. Claim 7 depends on claim 1. Since neither Dwek, nor Sarkissian, nor Moriyama discloses or suggests the above-recited features of independent claim 1, Dwek, in view of Sarkissian, and further in view of Moriyama, cannot render claim 7 obvious to one of ordinary skill in the art. Reconsideration and withdrawal of this art grounds of rejection are respectfully requested.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Percy L. Square, Registration No. 51,084, at (703) 205-8034, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

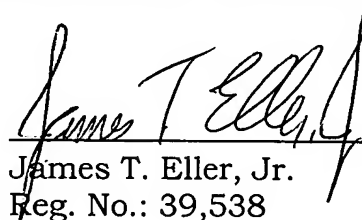
Attached hereto is a marked-up version of the changes made to the application by this Amendment.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By:


James T. Eller, Jr.
Reg. No.: 39,538

PLS
JTE/PLS:asc

P.O. Box 747
Falls Church, Virginia 22040-0747
Telephone: (703)205-8000

Attachment: Version with Markings to Show Changes Made



VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Claims 3, 8, 11 and 13-16 have been canceled without prejudice or disclaimer of the subject matter contained therein.

The claims have been amended as follows:

1. (Amended) A method of displaying a directory structure of a recording medium, comprising the steps of:

examining whether or not a directory includes at least one file having a pre-specified attribute [structure and attributes of data files recorded] on the recording medium;

generating a mark for [visually] indicating the result of the examining step [differentiating directories including at least one file of a pre-specified attribute, based on the examined attribute information]; and

displaying the generated mark on the directory [in association with the examined directory structure information].

2. (Amended) The method set forth in claim 1, wherein the file of said pre-specified attribute is ['MP3' music] related to audio or video contents.

4. (Amended) The method set forth in claim 1 [3], wherein [a display screen according to] said displaying step further displays [includes the] an uppermost directory of the said directory [information for said each file].

5 (Amended) The method set forth in claim 1, wherein said mark [for visually differentiating a directory] is displayed [in connection with the name of a] on the directory, including at least one file of said pre-specified attribute.

6. (Amended) The method set forth in claim 1, wherein said mark [for visually differentiating a directory] is displayed [in association with the name of a] on the directory not including any file of said pre-specified attribute.

7. (Amended) The method set forth in claim 1, wherein said mark [for visually differentiating a directory is information on] further shows the number of files included in a directory.

9. (Amended) A method of displaying a directory structure of a recording medium, comprising the steps of:

examining a directory structure [and attributes] based on an extension of [data] a file[s] recorded [in a] on the recording medium[; and] for selecting [one or more] a directory [directories] including at least one file [of] having a pre-specified [attribute] extension based on the examining step; [examined attribute information,] and

displaying the selected directory excluding a non-selected directory [directories with their respective hierarchical structures].

10.(Amended) The method set forth in claim 9, wherein said [selecting and] displaying step further displays filenames of the pre-specified [attribute] extension of files under the selected directories.

12. (Amended) The method set forth in claim 9 [11], wherein said [pre-specified attribute] file is related to audio or video contents ['MP3' music].